

PRESENTATION OF MR. PEYTON'S POR- TRAIT TO THE COUNTY OF AUGUSTA.

In order to preserve, in a permanent form, the interesting proceedings on the occasion when Mr. Peyton's portrait was presented to the county of Augusta, the little pamphlet containing them and printed at the time, is here reproduced.

The pamphlet was entitled: "John Howe Peyton. Ceremonies attending the presentation of his portrait to the county of Augusta."

"Great men heighten the consciousness of the human race, and it is our grateful duty to magnify him whose genius magnifies mankind."

(Printed for Private Circulation.)

THE STOUT AND PEYTON CORRESPONDENCE.

Staunton, October 29th, 1892.

To Col. John L. Peyton:

My Dear Colonel—In accordance with the wishes of the bar and people of the county generally, it is the purpose of the county court to place in the Court House, if they can be obtained, portraits of our eminent lawyers of the past. Among the most distinguished of our jurists was your father, Hon. John Howe Peyton, distinguished alike for his varied abilities as a scholar, lawyer and statesman, for the extent of

his learning and the purity of his private and public morals. For nearly forty years he displayed his great qualities on this theatre to the admiration and advantage of the public, and I trust you may be able to accede to my request and supply a copy, life size, of his portrait.

I am, very truly, your friend,

JOHN W. STOUT,
Judge of Augusta County.

Staunton, October 31st, 1892.

Hon. John W. Stout, Judge of Augusta County:

My Dear Judge—I have had the honor to receive your kind and courteous note asking for a copy of my father's portrait, to be placed in the County Court House, among those of the eminent lawyers of Augusta, and hasten to say in reply that it will give me great pleasure to comply with your request.

I have the honor to be, Judge, with great respect and esteem,

Your friend,

J. L. PEYTON.

In accordance with his promise to Judge Stout, Col. Peyton instructed Mr. Edmund Berkeley, of Staunton, to employ an experienced and competent artist of New York City to make, in oil, a portrait of his father. Some delay took place in the matter, as Col. Peyton had promised a portrait of his father to Washington and Lee University, Lexington, which was executed by the same artist and sent to Lexington last year.

In the month of July, 1894, the portrait of Mr. Peyton

was finished in New York and expressed to Stauntou, where it safely arrived. Col. Peyton duly advised Judge Chalkley, the successor of Judge Stout in the office of County Judge, of the fact and received the following letter from him.

Staunton, July 2nd, 1894.

My Dear Col. Peyton:

I am very much pleased to know that the portrait of your father, Hon. John Howe Peyton, which was gotten by you at the request of Judge John W. Stout, to be hung in the County Court House, has arrived in Staunton. As far as it is in my province to speak, accept my assurances that it will be received by the people of Augusta county with the most cordial feelings toward you, and with the greatest admiration for the memory of one who has reflected so much credit upon Augusta county.

It will give me great pleasure to go with you to the Court House at any time that it may be convenient to you, for the purpose of selecting a place to hang the portrait.

Believe me to be, with the greatest respect and consideration.

Very truly yours,

LYMAN CHALKLEY.

A few days later, on behalf of the County Court, an invitation was extended to the leading families of the town and county to attend a public meeting of the county officials and the general public, at the Court House, on July 20th, at 12 o'clock, M., when the portrait would be formally presented

to the county by Capt. James Bumgardner, Jr., on behalf of Col. Peyton, and be accepted by Major T. C. Elder on behalf of the county, these gentlemen, two of the ablest and most eloquent members of the bar, having been selected by Judge Chalkley for these pleasing duties.

THE PUBLIC MEETING.

The meeting announced to take place at 12 o'clock, July 20th, for the reception of Mr. Peyton's portrait, was duly held in the Court House on the day and at the hour specified. It was largely attended by the county officials, among them Hon. Lyman Chalkley, Judge of the County, N. B. Watts, Sheriff, Wm. A. Burnett, County Clerk, and others, including the Supervisors, namely, Elijah Coiner, T. M. Smiley, H. B. Wilson, Samuel Forrer, Silas H. Walker, and Wm. A. Crawford, the members of the Bar and many others, among whom were a number of fashionable and elegant ladies, including Mrs. and the Misses Atkinson, Mrs. Elder and daughter, Mrs. W. P. Tams, Mrs. Wm. Frazier, Miss Malcomb, Mrs. W. E. Craig, &c., &c.

On motion of Capt. Thos. D. Ranson, seconded by Wm. P. Tams, Esq., Capt. George M. Cochran was called to the chair. Capt. Cochran explained briefly the object of the meeting. when Capt. Bumgardner arose and said:

CAPT. JAMES BUMGARDNER'S SPEECH

Gentlemen of the Board of Supervisors:

The late lamented Judge Stout, who did much to entitle

him to be gratefully remembered by the people of Augusta County, requested that a copy of the portrait of John H. Peyton might be made, to be placed on the walls of this Court room.

In accordance with that request the portrait has been made, and on behalf of Col, John Lewis Peyton and the other descendants of John H. Peyton I deliver this portrait to you, as the representatives of the County of Augusta, in order that the purpose of Judge Stout may be carried into effect; and that this portrait may be placed in that group of illustrious citizens, with all of whom he was closely associated in life, and with whom he is entitled to be grouped and remembered in all time to come, as one of the men who have made the Staunton bar famous and honored, and who in their day enjoyed and deserved to enjoy, the esteem and admiration of their countrymen.

John H. Peyton was born in Stafford County, Virginia, in the year 1778. He inherited the virtues of patriotism, devotion to duty, courage and honor from his father, who illustrated them in the highest degree as a soldier of the Revolution. His academic career was distinguished by faithful application and great ability, and he graduated at Princeton, taking with high honors the degree of Master of Arts in the year 1797. After finishing his academical course he went earnestly to work to prepare himself for his professional career in which he rendered such faithful and honorable service to the Country and in which he earned so much honor and distinction. He studied law under the advice and tuition of Judge Bushord Washington of the Supreme Court of the United States, and with his ability, and taught by such a master, it is not surprising that the accuracy and extent of his legal knowledge placed him in the front rank of the great men of

his profession, who were his contemporaries. He commenced the practice of the law on the Fredericksburg Circuit. In the year 1806 he was elected as a Member of the House of Delegates from the County of Stafford, and was again elected in 1807. As a debater he had no superior on the floor of the House.

Mr. Peyton removed to Staunton and commenced the practice of the law in the Courts held in Staunton and the adjoining Counties in the year 1808, and he devoted himself to the practice of the law from that time until near his death in 1847. His great and recognized ability in the practice of his profession is shown by the fact that he was appointed Attorney of the Commonwealth for this Circuit immediately after his removal to Staunton, and three years later in 1812, Attorney for the Commonwealth for Augusta County. Chapman Johnson, who said he himself was not suited for the office, resigning it that Mr. Peyton might be elected, whom he declared was the ablest public prosecutor in Virginia. During the year 1812 he served as Chief of Staff of General Porterfield. In his army service he established his reputation as an able, enterprising and gallant officer. With the exception of his service in the House of Delegates, in the Senate and in the Army, his time and energies were spent in the arduous duties of his profession.

He was Mayor of Staunton in the years 1816 and in 1817, but his performance of the duties of that office was not, of course, any serious interruption to the laborious work of his profession. From 1812 (when he was appointed Attorney for the Commonwealth for the county of Augusta,) he filled that office continuously until 1844, serving in the mean time for two terms in the Senate of Virginia from 1836 to 1844, when he resigned from ill health. And now, because sirs, during that

long period he was one of the great men of this bar, because he was one of the great citizens of Augusta and of Virginia, because it is of interest and benefit to the Commonwealth, that the memory of her great and able men be preserved and cherished, this picture was asked for, that its presence on these walls might be a perpetual evidence of his ability and virtues, and evidence of how the people of this county recognize, reverence and honor those lofty attributes of mind and heart, which give fame and distinction to the locality in which they are displayed. It is now forty-seven years since Mr. Peyton passed away. Since his death nearly two generations have been born and died. Of the men now living in this county very few personally knew Mr. Peyton, or personally know the position he occupied in the estimation of the bar, of the men, and of the community of his day and time. That position is clearly shown by the written expressions of many great men of his day, and as these expressions will convey a clearer idea of Mr. Peyton's character than I am able to give in any other way, I think it most proper on this occasion to quote them.

Mr. Peyton was the author of the celebrated report opposing the Amendment of the Constitution of the United States, proposed by the State of Pennsylvania, for the alleged purpose of preventing collisions between the Federal Government and the State Governments; concerning which report Mr. Webster said, that "the reasoning and conclusions were unanswerable" and on another occasion said, "it was a misfortune that he was not in Congress."

Benjamin Watkins Leigh said "He was the greatest lawyer west of the Blue Ridge."

Chapman Johnson said, "He was the greatest criminal lawyer and public prosecutor I have ever seen."

Judge Henry St. George Tucker said, "He was one of the most profound and learned of lawyers,"

Daniel Sheffy said, "He possessed gigantic power without effort, and was not only a great but a good man."

Major James Garland, of Lynchburg, said, "There was no greater lawyer in the Commonwealth."

Judge Alexander Rives wrote that "I know no lawyer in Virginia for whom I have the same admiration, respect and esteem."

John B. Baldwin said, "He was the greatest common-law lawyer he ever knew."

Judge Briscoe G. Baldwin said, "He had more strength, originality and learning than any lawyer of his acquaintance."

Judge Lucas P. Thompson said, "His sentiments were illuminated by genius."

Sidney S. Baxter, late Attorney General of Virginia said "No lawyer in Virginia equalled him in debate."

Thomas J. Michie said of him: "That he was a man who had served his country with distinguished ability in various civil positions in time of peace, who has honorably and gallantly served and sacrificed his property in time of war, a man whose honor and integrity have never been impeached in this or any other community."

Judge R. C. L. Moncure in speaking of him as a young lawyer said: "He took a position on being admitted to the bar which brought him immediate and continued popularity as a lawyer, a pleader and a scholar."

T. M. Green, a distinguished lawyer and author, of Kentucky, said; "John Howe Peyton was eminent as a lawyer, statesman and orator."

Professor J. T. L. Preston, late of Virginia Military In-

stitute, said: "He was a champion in every branch of his profession."

The late James D. Davidson, of Lexington, said: "I regarded him altogether as a superior being."

The late William Frazier said: "His pleadings were master pieces of art."

The late Judge McCue said: "In his discourses he displayed a soundness of view, an extent of research, a manliness of principle, an accuracy of learning and a vigor of style surpassing anything I ever heard."

Mr. Peyton was as eminent for stern integrity as for learning and ability, and in that connection a writer, whose name I will not call, as he is still living, said: "I never knew a man who had more of what Edmund Burke styled "the chastity of honor which felt a stain like a wound."

I have heard many lawyers who personally knew Mr. Peyton as a lawyer, speak of him, and, without exception, they placed him in the very front rank of the great lawyers of his day, and the late Judge H. W. Sheffey, with whom I was associated for so many years as a partner, spoke of him often and alluded to his appearance in a celebrated cause, which at the time of the trial, made a most profound impression upon the community and said that Mr. Peyton's description of the facts connected with the *corpus delicti*, and the behavior of the accused at the time was the most dramatic, powerful and stirring burst of eloquence he had ever heard or read, and that during the utterance of the speech there was not a dry eye in the crowded Court House.

It will be observed that these statements are made by men qualified in the highest degree to estimate justly human character and ability, and who had the very best opportunity of judging the character and ability of Mr. Peyton, as they

were intimately associated with him at the bar and in public life; and their testimony therefore is conclusive, that Mr. Peyton was a man of commanding ability, of the highest culture, of profound legal learning, of the sternest integrity and the strictest honor, and is worthy to be commemorated in the manner proposed by placing this portrait in the group which now adorns these walls, and I now take great pleasure in presenting it to you for that purpose."

At the close of his discourse the audience warmly applauded Captain Bumgardner, as it had repeatedly done during its delivery.

MAJOR ELDER'S ADDRESS.

Major Elder then rose and spoke in the following terms:

TO COL. JOHN LEWIS PEYTON whom I see before me, and who by right of primogeniture now stands at the head of the descendants of John Howe Peyton, and through him to all the descendants of this eminent man, I would say that the people of the county of Augusta, represented by the Judge of their County Court and Board of Supervisors, have requested me to signify the acceptance by the county of the admirable portrait of Mr. Peyton which has just been tendered it by Capt. Bumgardner in such appropriate and beautiful terms. Col. Peyton, in presenting to his native county this portrait of his distinguished father, has done well, in that he has at once performed an act of filial piety and conferred a public benefit; for whilst Col. Peyton has by this act given apt expression to the tender and loving relations which should exist between a dutiful son and an honored parent, it must also be remem-

bered that the father whom he loved so well was amongst the most distinguished of Augusta's adopted sons, and she is now given an opportunity of manifesting towards him those sentiments of affection and pride which a mother cherishes for her honored children. Individuals and families honor themselves in honoring their worthy ancestors, and communities and states offer the highest incentive to industry, virtue and patriotism by honoring the memory of those who have filled the public stations with fidelity and zeal for the public good.

I shall not attempt a biographical sketch of Mr. Peyton. Capt. Bumgardner has told us of his birthplace and honorable lineage, of his collegiate education and subsequent preparation for the bar, of the commencement of his professional career in his native county of Stafford, and in connection therewith of his early selection for the office of Commonwealth's Attorney for that county, and of his having been chosen several times to represent it in the popular branch of the general assembly of the State before his removal to Staunton in 1808. We have also been told of the course of his life after his removal to this place. Some account of his merits must have preceded him, for almost immediately after settling here he was appointed Commonwealth's Attorney for this Circuit by its presiding judge, and in two or three years afterwards the distinguished Chapman Johnson resigned the office of prosecuting attorney for this county, in order, as it is said, that Mr. Peyton, because of his peculiar fitness, might be chosen for the place. It seems that from the time Mr. Peyton came here to live until he was disabled by the disease that ended his life, his time and talents were devoted to the study and practice of his chosen profession; for he belonged to that class of lawyers who do not stop studying when they begin to practice. During

almost the whole of his professional life in this county he was Commonwealth's Attorney either for the County or the Circuit, and for the most part for both. The reputation he made as a prosecuting officer has rarely, if ever, been excelled in this State.

But whilst devoted to the law, which he studied as a science, and practiced only as a great and noble profession should be practiced, he was by no means unmindful of the duties he owed the community in which he lived and the State and country of which he was a citizen. As a military officer of the war of 1812, and as a member of the Senate of Virginia for a number of years, he discharged his duties incumbent upon him in these positions with honor to himself and with benefit to the State. And over the public assemblage of the people of this town and county occurring in his day, he was frequently called on to preside, upon which occasion he always acquitted himself with dignity and grace. He took a lively interest in everything of a public character that was going on around him.

He was one of those who think that every man should be more than his work; wider and higher than the business or calling by which he earns his daily bread. Some there are indeed who, whilst thinking this should be so, have barely the capacity to discharge the duties of their vocations, and are without time or strength for anything else; and hence must submit to be driven—

"Round the daily scene
Of sad subjection, and sick routine,"

until death relieves them of their bondage.

But we have been told by Capt. Bumgardner that Daniel Sheffey, a competent judge surely, in speaking of Mr. Peyton, said—"He possessed gigantic power without effort." No

greater compliment could be paid to the intellect of any man. Mr. Peyton had time enough to become great in his profession, and to spare for other things. With him his daily work was a pleasure rather than a burden. Fortunate indeed is the man who is so gifted. The consciousness of the possession of such powers and the use of them in the right directions must be a delight to the possessor.

This appears to have been the thought of Macauley, when contemplating Milton in his poetic flights, after the constructive and artificial parts of his was done, he fancies the great poet might have said to himself:—

“Now my task is smoothly done
I can fly, or I can run.”

Nature was in various ways lavish in the bestowal of her favors upon him of whom we speak to-day. Not only did she endow him with high intellectual gifts, but he had *mens sana in sana corpore*. He was a large, well proportioned man, of dignified bearing and pleasing address, with a glow and color indicative of a fine physical constitution. Like jewels in a setting, at once strong and graceful, the mental powers of Mr. Peyton were displayed to the best advantage through his magnificent form and presence. How we all do admire intellectual power, and if associated with physical size and strength and manly beauty, we admire it all the more. But, it may be repeated, intellectual power, talent and genius are always admired for their own sake. The fact that they are associated with bad moral qualities, and indeed with great vices, does not wholly deprive them of their charm, Lord Bacon, sometimes described as the “greatest, meanest of mankind,” will never cease to be admired by even the best of men for his towering and resplendent intellect. Satan, as depicted by Milton, while revolting in the hideousness of his

moral deformity, excites our interest, and, in a sense, **extorts** our admiration by the grandeur and independence of his **masterly** mind. But it was the crowning excellence of **him** whose memory we honor to-day, that he was as pure and **noble** in heart as he was great in mind. In him there was **that** fine and harmonious combination of high moral qualities and great intellectual powers which make the model man. **This** combination of moral and intellectual qualities is what so greatly commended this man to the regard and esteem of his contemporaries, and it is what still keeps his memory fresh.

And the moral qualities now referred to are not merely such as truth, sincerity, honesty and integrity, which, and the like of which, Mr. Peyton, it is true, possessed in an eminent degree, but also the rarer virtues of firmness, self reliance persistence in the right, fearlessness in the discharge of duty, a strong sense of justice and a refined sense of honor.

And displaying constantly, as he did, these noble qualities in the practice of his profession, he left the lawyers of this bar and of the bar throughout the State an example worthy of the closet imitation. In the discharge of his duties as a prosecuting attorney, whilst he never permitted those he believed to be guilty to go wholly unwhipped of justice if he could prevent it, on the other hand he would have considered it a crime in himself to have asked for the conviction of one whose guilt was not sufficiently established. He was an independent and conscientious practitioner in the civil departments of his profession. Well it is for the lawyers of the present day, and well it will be for those who are to follow them, that the portrait of such a lawyer should be ever looking down upon them from the walls of this hall of justice.

Its presence here will be at once an inspiration and a restraint.

With the form and features of John Marshall, the great expounder of the Federal Constitution and the founder of our Federal Jurisprudence, and with the forms and features of such of his disciples as John H. Peyton, Thomas J. Michie and John B. Baldwin, ever before them, the lawyers who come here to practice their profession should not go wrong.

Nor is the presence of the portraits of these great men in this public place without its purifying and elevating influence on the great body of the people who are wont to congregate here. Every community is deeply interested in the qualifications and character of its lawyers. Like people, like bar. If the people want clean and competent lawyers to transact their business, such will be forthcoming; if, on the other hand, lawyers of a different kind are wanted and encouraged, they will abound.

But it is not only because the men whose likenesses adorn these walls were great lawyers that they are entitled to the admiration of the public; but also because they were upright and honorable in all the relations of life, both private and public. In political matters they were candid and straightforward, and, above all things, patriotic. They were not office-seekers, So far as they were office-holders, the offices sought them. None of Mr. Peyton's cotemporaries ever supposed that he would of his own motion actively seek a political office. But when the people amongst whom he lived desired his services in a public capacity, they were not withheld; and they were rendered with strict regard to the public interests and without any regard at all to his personal promotion. With him, and with those like him, public office was indeed a public trust. John Howe Peyton was never the man to sacrifice a political conviction for office. He was a leader rather than a follower of public opinion, and he always guided it in the ways of justice, of honor, and of patriotism.

What was it that first gave to this county of Augusta her high and enviable position amongst the counties of Virginia? It was the custom of putting forward her best men to represent her in the legislature, and in the various public assemblages of the State. The name of Augusta is indissolubly linked with the names of her distinguished sons who are gone. In the eloquent language of a great patriot—"The past is at least secure."

I claim to be a man of progress, and I trust duly appreciate the wonderful advances of recent years in the development of the resources and material wealth of our State and Country and in diffusion of education and other blessings; but at the same time, I would hold fast to the former things that are good. In this respect at least, if necessity required, I would rather adopt the motto engraved on the public seal of our country *Redeant in aurum secula priscum*, "Let the ages return to the first golden period."

May God bless the county of Augusta and may He raise up men, great and true, to serve and honor her in the future as John H. Peyton and her two other sons whose portraits adorn these walls served and honored her in the past.

When Major Elder resumed his seat he was greeted with loud applause.

COL. JOHN L. PEYTON'S REMARKS.

Silence being restored there were calls from all parts of the house for Colonel Peyton, who came forward in response to them and spoke in substance as follows:

He said he was taken entirely by surprise, but gladly availed himself of the occasion to thank Captain Bumgardner

and Major Elder for their polished and eloquent speeches, and the lofty tributes they had paid to his father; he was pleased that his father's portrait would henceforth adorn the walls of this hall, which had so often resounded to his eloquence, and would be evermore displayed in the midst of a people he loved so well, and for whom he labored so faithfully. He confessed to a devout veneration for great and good men—the heroic masters in virtue, and felt a desire to exalt them as ideals, which would exert an influence to mould to their likeness those who earnestly contemplated them. Leaving out of view all other aspects of his father's character, he might be permitted to say that no man had a deeper or more extinguishable thirst to promote human liberty and happiness, and such was his unselfish patriotism that it could be truly said of him that it ever was "his country first, his country last, his country all the time. [Loud applause.]

HON. JOHN RANDOLPH TUCKER'S LETTER.

Major Elder then read the following letter from Hon. J. Randolph Tucker.

Lexington, Va., July 18th, 1894.

T. C. Elder, Esq.:

MY DEAR FRIEND:—

I should be glad to be present at the presentation of the portrait of the late Hon. John Howe Peyton to the county of Augusta, and to hear the addresses appropriate to its presentation and reception, delivered by Capt. Bumgardner and yourself.

The adornment of your Court House by the pictures of the men whose genius has honored the county, and whose eloquence still lives in the memory, as its echoes linger in the

walls of the old forum of its mighty people, is a noble method of perpetuating the virtues of her great men and holding them up as a models and examples for the rising generation.

I was too young to know and fully appreciate the eminent abilities of Mr. Peyton as they deserved to be. But I remember him, when as a boy, in 1839-40, I traveled with him from Charlottesville to Richmond, when the snow obstructed travel and detained us at Trevilian's for more than a day. His genial and cordial manners to a lad [Mr. T. was then about 19 years of age] and his charming conversational powers, mingling vivacity of humor, with grave disquisition on more serious matters—fascinated me then, and so live in my memory as to make me sympathize in all honors done to his name, and attract me to the scene where that is to be so worthily manifested.

But I am not quite well and my duties here forbid my attendance on the occasion.

In full sympathy with the occasion, and wishing the ceremonies to be fully successful, I am, sincerely,

Your friend,

J. R. TUCKER.

Major Elder then remarked that he had just been furnished by Judge George M. Harrison with an extract from a speech made by Mr. Peyton when only twenty-two years of age—a speech made to the grand jury of his native county—which threw a light upon Mr. Peyton's whole life and character as a public prosecutor. The Major then read this extract from Mr. Peyton's speech:

"The history of man from the primeval simplicity of

our first parents to the present day has satisfactorily proven that neither the dictates of reason, the light of philosophy, nor the divine precepts of our holy religion furnish adequate restraints to his vicious propensities."

The meeting then, on motion of the Hon. Marshall Hanger, adjourned.

GEO. M. COCHRAN,
Chairman.

EDITORIALS FROM THE STAUNTON PAPERS.

It will not be uninteresting in this connection to read the following editorials from the leading Staunton papers.

In the Daily Post of the same evening, this article appeared:

JOHN HOWE PEYTON.

PORTRAIT OF THIS EMINENT VIRGINIA JURIST PRESENTED TO
THE COUNTY.

CAPT. JAMES BUMGARDNER MAKES THE SPEECH OF PRESENTATION, AND MAJOR ELDER THAT OF ACCEPTANCE—
BRIEF SKETCH OF HIS CAREER.

As previously announced, the oil portrait of the late Hon. John Howe Peyton, which, at the suggestion of the late Judge Stout and the Board of Supervisors was placed in the Court House of Augusta County, was formally presented and received to-day at noon.

Captain George M. Cochran presided over the meeting.

The jury box was occupied by the Supervisors and within and around the bar inclosure was gathered many of the leading members of the bar, ladies and relatives of the late Mr. Peyton. Among them was Captain James Bumgardner, who, on behalf of the family of Mr. Peyton made the formal presentation address, Major Thomas C. Elder, who received the portrait on behalf of the county, Colonel John L. Peyton, son of the gentleman honored, Mrs. Peyton and others. The portrait was hung in its place upon the north wall in rear of the bench and to the east of that of the late Chief Justice Marshall.

Captain Bumgardner's address reviewed the circumstances leading up to the presentation, and the life and eminent achievements of the distinguished jurist. His address was chiefly biographical, and quoted many distinguished gentlemen in eulogy of Mr. Peyton as a complete lawyer, patriotic citizen, and great and good man. He was born in Stafford County, April 3d, 1778; was educated in Fredericksburg and at Princeton, from which he was graduated with the A. M. degree, studied law under Judge Bushrod Washington, of the United States Supreme Court, and further equipped himself for his profession by an extensive course in literature. In 1799 he began the practice of law in Fredericksburg, and soon achieved distinction. In 1804 he married Susan, daughter of William S. Madison, a cousin of President James Madison. In 1806 he was elected to the Virginia House of Delegates, and served with ability for four years. He was considered the most brilliant debater in that body. A series of resolutions written by him opposing a constitutional amendment providing a tribunal to settle disputes between the State and Federal Judiciary were quoted by Daniel Webster in his memorable debate with Hayne, and were characterized by him as unanswerable.

In 1808 Mr. Peyton located in Staunton and was made Public Prosecutor of the Judicial Circuit of Augusta, Albemarle, Rockingham and Rockbridge. During the war of 1812 he served with distinction on the staff of General Porterfield, and on his return was made Mayor of Staunton. In 1822 he was married to Miss Ann Montgomery, daughter of Colonel John Lewis and his wife, Mary Preston.

In 1836 he was elected State Senator from Augusta and Rockbridge. and served there until 1845, when he resigned. In June, 1844, after a continuous service of 32 years, he resigned the office of Commonwealth's Attorney for Augusta. He died at Montgomery Hall, near Staunton, April 29, 1847.

Maj. T. C. Elder, on behalf of the county, received the picture in a polished and scholarly address, which was generally pronounced one of the finest addresses of the kind ever heard here. The son, said the speaker, had done an act of filial piety and at the same time a service to his county in presenting this portrait of his honored father. The speaker then reviewed the career of Mr. Peyton, paid a splendid tribute to his legal abilities, which was acquiesced in by many of Virginia's most distinguished men. He held up for the emulation of the bar his untarnished integrity, devotion to duty and loftiness of life and purpose as exhibited in his practice in this court, and referred to the portrait along with those of Michie and Baldwin as among the household gods of the county. In the name of Judge, Supervisors and people he accepted the portrait and promised that it would be highly prized.

Col. John L. Peyton, being called for, responded briefly, thanking the gentlemen who had spoken for their lofty tributes to his father.

The meeting then adjourned.

[From Staunton Spectator.]

PORTRAIT OF HON. JOHN HOWE PEYTON.

PRESENTED TO THE COUNTY OF AUGUSTA BY HIS SON
COL. JOHN LEWIS PEYTON.

At the request of the late Judge John Stout, Col. John L. Peyton had a portrait of his distinguished father painted to be presented to the county to be placed on the wall of the Court-room beside the portraits of Chief Justice John Marshall, Thos. J. Michie, and Col. John B. Baldwin. The formal presentation of this portrait took place at a meeting held in the Court house at 12 o'clock last Friday, July 20th, at which the Supervisors of the County, the members of the Staunton Bar, some ladies, and a large number of others were present.

On motion of Capt. Thos. D. Ranson, Hon. Geo. M. Cochran was made Chairman of the meeting.

On taking the chair, he announced its object and said that the meeting was ready for business. Then Capt. Jas. Bumgardner, on behalf of Col. John L. Peyton, delivered the presentation speech, which was done in fine style. He prefaced his speech, with the following remarks:—

“Gentlemen of the board of Supervisors:

The late lamented Judge Stout, who did much to entitle him to be gratefully remembered by the people of Augusta county, requested that a copy of the portrait of John H. Peyton might be made, to be placed on the wall of this court room.

In accordance with that request, the portrait has been made, and on behalf of Col. John Lewis Peyton, and other descendants of John H. Peyton, I deliver this portrait to you. Augusta, in order that the purpose of Judge Stout may be car-

ried into effect; and that this portrait may be placed in that group of illustrious citizens, with all of whom he was closely associated in life, and with whom he is entitled to be grouped and remembered in all time to come, as one of the men who have made the Staunton bar famous and honored, and who in their day enjoyed and deserved to enjoy the esteem and admiration of their countrymen."

Then followed a very interesting succinct biographical sketch of the able lawyer, orator, and legislator whose portrait he was deputed to present to the county. It embraced Mr. Peyton's distinguished services from his early manhood to the time of his death in 1847. Capt. Bumgardner quoted the remarks of quite a number of able lawyers and others, the contemporaries of John Howe Peyton, as to his ability as a lawyer and legislator, and all concurred in the opinion that he was one of the ablest lawyers of the State of Virginia, and Virginia has had, and still has, a great many very able and learned lawyers. We regret that we have not space for these eulogistic quotations. They show that he was not only an able lawyer, but a great and good man, whose integrity and patriotism was above reproach.

After the quotations from these distinguished men, Capt. Bumgardner concluded his address as follows:

"It will be observed that these statements are made by men qualified in the highest degree to estimate justly human character and ability, and who had the very best opportunity of judging the character and ability of Mr. Peyton, as they were intimately associated with him at the bar and in public life, and their testimony therefore is conclusive, that Mr. Peyton was a man of commanding ability, of the highest culture, of profound legal learning, of the sternest integrity and the strictest honor. And it is worthy to be commemorated in the

manner proposed by placing this portrait in the group which now adorns these walls and I now take great pleasure in presenting it to you for that purpose."

Then Major Thos. C. Elder on behalf of the Supervisors of the county made his speech accepting the portrait, which duty he performed in good taste and in an able and admirable manner. He began his speech by referring to the donor of the portrait and said:--

"To Col. John Lewis Peyton, whom I see before me, and who by right of primogeniture, now stands at the head of the descendants of John Howe Peyton, and through him to all the descendants of this eminent man, I would say that the people of the county of Augusta represented by the judge of their county court and board of supervisors have requested me to signify the acceptance by the county of the admirable portrait of Mr. Peyton, which has been tendered it by Capt. Bumgardner in such appropriate and beautiful terms. Col. Peyton, in presenting to his native county this portrait of his distinguished father has done well, in that he has at once performed an act of filial piety and conferred a public benefit; for whilst Col. Peyton has by this act given apt expression to the tender and loving relations which should exist between a dutiful son and honored parent, it must also be remembered that the father whom he loved so well was amongst the most distinguished of Augusta's adopted sons, and she is now given an opportunity of manifesting towards him those sentiments of affection and pride which a mother cherishes for her honored children. Individuals and families honor themselves in honoring their worthy ancestors, and communities and States offer the highest incentive to industry, virtue and patriotism by honoring the memory of those who have filled public stations with fidelity and with zeal for the public good.

Then Major Elder spoke of the great abilities and noble virtues of John Howe Peyton. It was the happy combination of both that made him the great and good man that he was. The good influence of such a character was ably presented, and the beneficial effect of the presence of the portrait of such a man in the court-room would have on the bar.

We regret that we have room only for a few brief extracts which we give as follows:—

“But we have been told by Capt. Bumgardner that Daniel Sheffey, a competent judge surely, in speaking of Mr. Peyton said: “He possessed gigantic power without effort.” No greater compliment could be paid to the intellect of any man. Mr. Peyton had time enough to become great in his profession and to spare for other things. With him his daily work was a pleasure rather than a burden. Fortunate indeed, is the man who is so gifted. The consciousness of the possession of such powers and the use of them in right directions must be a delight to their possessor.”

* * * * *

“But it is the crowning excellence of him whose memory we honor to-day, that he was as pure, as noble in heart as he was great in mind. In him there was that fine and harmonious combination of high moral qualities and great intellectual powers which makes the model man. This combination of moral and intellectual qualities is what so greatly commended this man to the regard and esteem of his cotemporaries, and in what still keeps his memory fresh.”

* * * * *

“Well it is for the lawyers of the present day, and well it will be for those who are to follow them, that the portrait of

such a lawyer should be ever looking down upon them from the walls of this hall of justice.

Its presence here will be at once an inspiration and a restraint.

With the form and features of John Marshall, the great expounder of the Federal Constitution and the founder of our Federal jurisprudence, and with the forms and features of such of his disciples as John H. Peyton, Thos. J. Michie and John B. Baldwin, ever before them, the lawyers who come here to practice their profession should not go wrong."

At the conclusion of Major Elder's speech, calls were made on Col. John L. Peyton, who arose and responded in a few brief remarks which can be found on another page of this book.

[From Yost's Weekly.]

PRESENTATION OF A PORTRAIT.

A goodly company, including a number of ladies, assembled in the Court-house at noon on Friday last to witness the presentation to Augusta County of the portrait of Hon. John Howe Peyton, than whom the old county never had a more distinguished son, for although born outside of her confines, the major part of his long and useful life was spent in her service, and the lustre of his fame forms one of her richest heritages and indissolubly interwoven with her history and progress.

The meeting was called to order by Capt. T. D. Ranson, and, upon his motion, George M. Cochran, Esq., was designated to preside. Mr. Cochran briefly stated the object of the meeting was the presentation to the Board of Supervisors of Augusta County of a portrait of the late Hon. John Howe Peyton and its acceptance by the authorities.

On behalf of Col. John Lewis Peyton and other descendants of the great lawyer, Capt. James Bumbardner made the presentation address. It was a theme worthy of the best effort and the address was worthy of the theme, and worthy too of the head and heart of the learned and gallant gentleman chosen for the task. He sketched the distinguished career of John Howe Peyton from his birth in Stafford county in the year 1778. Endowed with talents of a high order, Mr. Peyton entered Princeton at an early age, graduating from that institution as Master of Arts in 1797. He studied law under Judge Bushrod Washington of the Supreme Court of the United States, and commenced the practice of his profession on the Fredericksburg circuit. In 1806 he was elected as a member of the House of Delegates from Stafford County, and re-elected the following year and served until 1810 and 1811. In 1808 he removed to Staunton, and was immediately appointed Attorney for the Commonwealth for the circuit surrounding Staunton, and subsequently also Commonwealth's Attorney for Augusta County. This latter position was resigned by Chapman Johnson, himself a great lawyer, for the reason, as he declared, that Mr. Peyton's qualifications for the office were so superior that justice to the county demanded his services. During the war of 1812 Mr. Peyton acted as chief of staff to General Porterfield, and in the field as well as the forum rendered distinguished service. From 1816, when he was appointed Deputy U. S. District Attorney to aid William Wirt, until his health became impaired in 1844, Mr. Peyton continued to fill the office of State's Attorney, serving also terms as Mayor of the city and for eight years as a member of the State Senate.

His busy, useful life closed in 1847, but the fragrance of his memory lingers to this day, and his fame is one of the

memories of the county. Captain Bumgardner quoted the opinions of a long list of eminent men who were cotemporaries of Mr. Peyton and recognized his great power as a lawyer. Among them was Daniel Webster, who in speaking of the celebrated report written by Mr. Peyton in opposition to the amendment of the Constitution of the United States, said that the "reasoning and conclusion were unanswerable."

In closing, Captain Bumgardner earnestly and eloquently summed up the salient points in the career of Mr. Peyton, declaring him to have been a man of commanding ability, of the highest culture, of profound legal learning, of the sternest integrity and strictest honor; worthy to be commemorated by placing his portrait in the group of great lawyers which now adorns the Court House.

Major Thomas C. Elder was selected by the court to receive the portrait on behalf of the Board of Supervisors. The selection was a happy one. Never have we heard in that Court House an address so chaste, so scholarly, so rich in beautiful worded thought, so thoroughly impressive and appropriate. It was a literary gem. To sketch it would be to mar it, and we regret that our limited space does not permit its publication in full, together with the address to which it was a response.

Col. John L. Peyton, son of Hon. John Howe Peyton, was present in the house, and calls were made for him to come to the stand. In recognition of this manifestation, the Colonel said he was taken by surprise in the call that was made, and could only say that he felt gratified with the enthusiastic manner the gift to the county had been received, and the elegant and affecting remarks which had accompanied the presentation of the portrait and its reception. That he was pleased to see his father's likeness on the walls of the hall

where his eloquent voice had so often resounded, and suspended in the midst of a people he had loved so much and served so faithfully, for with him it always was "his country first, his country last, his country all the time."

LETTERS.

FROM THE REV. J. HENRY SMITH, D. D., PASTOR OF THE FIRST
PRESBYTERIAN CHURCH, GREENSBORO, N. C., ONE OF
THE FEW SURTIVORS OF MR. PEYTON'S
OLD FRIENDS.

Greensboro, N. C., July 24th, 1894.

Col. John L. Peyton:

My Dear Sir—I have just received from your hand a copy of the "Staunton Daily News" of the 21st inst., and I have read with very great pleasure, the beautiful and eloquent and richly deserved tributes to your honored father at the public meeting in your town called for the acceptance of your father's portrait. It well deserves to be placed among the purest and ablest and noblest of his talented and honored associates and contemporaries. I congratulate *you* on so interesting an occasion, and I sympathise with you in the filial joy and pride and gratitude to God that your heart, I know, felt, as those tributes were paid to your noble father's character and influence. Next to the fear of God, is the feeling we cherish for a father, who has taught us in the right way of virtue and honor, who has exemplified such a life and led us onward and upward. I think the *5th Commandment* stands in the decalogue where it does, because the love and rever-

ence to parents is next to the love and fear of God, in the estimation of God himself.

Greek and Latin writers often classified and summed up human duty in the following three-fold way,—‘to fear the gods—to honor one’s parents and to obey the laws of the land.’ This was I think in the mind of *Cicero* when he said “*in aris et focus est Republica.*” *Plato* says “let us believe then that we can have no religious image more precious in the sight of heaven than a father, or a grand-father or a mother worn out with age, and that in proportion as we honor or delight in them with a religious joy, in the same proportion does God himself rejoice. Such sentiments, I believe, are fragments of the true and primitive religion carried abroad—but also, soon afterward, in so many respects corrupted, we recognize such sentiments as a part of the original Divine law not wholly obliterated, thanks to God, by the fall.

For the sake of dear old Virginia, I thank you that your father’s form and face is where it is—to be an incentive to virtue and patriotism, as it looks down from year to year upon all who enter your court of justice.

For your considerate kindness in sending me the paper, and awakening thoughts of the long past, and with apologies for this longer letter than I had thought to write, I am,

Gratefully yours,

J. HENRY SMITH.

FROM GEN. ECHOLS.

Louisville, Ky., July 28, 1894.

Major Thos. C. Elder, Staunton, Va.:

My Dear Major—After an absence of several days, I

returned to this city yesterday, and find your postal of the 23rd inst., and also the newspaper containing an account of the ceremony of the delivery to, and acceptance by, the county authorities of Augusta county, of the portrait of the late distinguished John Howe Peyton. I am very much obliged to you for thinking of me, and giving me an opportunity of reading the addresses made by yourself and Captain Bumgardner on the occasion referred to. I have read the speeches with a great deal of interest, and I have been very much impressed and pleased with your chaste, striking, and eloquent address, as the representative of the Supervisors of the county, in accepting the portrait. You have, with a master's hand, delineated the character of Mr. Peyton, and I hope that your address will be preserved as a fitting accompaniment of the skillful personation of the striking countenance that the artist has presented. I recollect Mr. Peyton very well. When I was a boy I saw him, and heard him frequently at the bar, generally in Lexington. I have also a very pleasant recollection of having enjoyed his elegant and generous hospitality at his home.

When I can first remember Staunton, the Staunton bar was made up of men who will long live in the memory of those who had the good fortune to know them.

Judge Thompson was on the bench, and around him Thos. J. Michie, A. H. H. Stuart, John B. Baldwin, David Fultz, H. W. Sheffey and a number of other gentlemen, all of whom together formed a notable group that would have made any forum illustrious.

It is certainly a most fitting thing that the noble county of Augusta should have her Pantheon, in which shall be gathered the statues and likenesses of her great sons, in order that those who come after shall see the men who have given

to her her proud pre-eminence among the counties of the "Old Dominion."

Again thanking you for your kindness, and hoping to see you in a few days, I am, very truly yours,

JOHN ECHOLS.

Many other interesting letters have been received from distinguished gentlemen in different parts of the State, but neither time nor the limits of this pamphlet admit of their insertion.

LETTERS FROM CONTEMPORARIES AT THE BAR.

From a number of letters received from persons to whom Col. Preston's sketch was posted, nearly fifteen years ago, the following extracts are selected, because written by Mr. Peyton's colleagues at the bar.

FROM JUDGE ALEXANDER RIVES.

(FEDERAL JUDGE.)

In a letter addressed to Hon. John L. Peyton, and dated Eastbourne, Charlottesville, Jan. 29th, 1881, Judge R. says:

"There was no one at the bar, with whom I was associated, for whom I cherished the same admiration, respect and esteem, as for him.

So much of our State's worth and greatness was in the ranks of the bar and the bench, that I have felt it to be a shame to the State that it has never been chronicled, as it should have been, for after ages. Such men as Wickham, Leigh, and Johnson survive only in brief obituaries. I am glad your filial piety has, in some measure, rescued your father's name from that neglect."

FROM JOHN B. MINOR, LL. D.,
PROFESSOR OF LAW, &C.

University of Virginia, February 3d, 1881.

My Dear Sir:

I pray you to accept my thanks for the brief memoirs of your distinguished father, which you were so kind as to send me.

It is very pleasing to have before my eyes the well remembered features, expression and attitude of a man for whom, through my whole professional life, I have cherished the most unreserved respect and admiration.

For many years I have been accustomed to regard the county of Augusta as occupying the first position in the Commonwealth, in respect to the *morale* and intelligence of its people, and the soundness of its public sentiment, and have ascribed the pre-eminence, in a marked degree, to the lofty character of its bar—a pre-eminence in uprightness, as well as in abilities and learning, which has now subsisted continuously for near a hundred years. There is no community in the State, I believe, which has been blessed, for a blessing indeed it has proved, for so long a period of time, with such a wonderful and uninterrupted succession of great and virtuous lawyers.

In that remarkable series, your father is a most conspicuous figure, and by his example and influence contributed as much as any one to the noble result, as I apprehend it to exist, in the elevated tone of the people of Augusta.

Doubtless the highest influences of religion co-operated powerfully to accomplish what has been achieved, but I do not doubt that one of the chief auxiliaries was the stainless

purity existing for so many years among the practitioners of the law, rendered more conspicuous and patent by the extraordinary capacity which accompanied it.

I look with trembling anxiety to the young men who now compose the bulk of the Augusta bar, many of whom are my pupils, to sustain and transmit unimpaired the illustrious reputation for lofty integrity and eminent ability and learning, which has come down to them through so many successions of their predecessors, so that for the next hundred years, as for the last, old Augusta may continue to enjoy the distinction she has won.

Thanking you again for kindly remembering me in the distribution of the sketch, I am, with great respect and esteem,

Yours truly,

JOHN B. MINOR.

James D. Davidson, in a letter dated Lexington, Va., January 25th, 1879, and addressed to Col. John L. Peyton, says:

"When I knew Mr. Peyton in practice in Rockbridge county, I was comparatively a young member of the bar, and I looked up to him, as a man of imperial, far seeing, commanding intellect, and in every respect as a superior being, not only as a lawyer, but as a man."

Letters and excerpts from letters to whom the little pamphlet giving an account of the presentation of Mr. Peyton's likeness to the county were sent:

Judge S. Bassett French, of Mynchester, says:

"Mr. Peyton was a wonderful man in his day, and had few peers in any age."

Col. Wm. A. Anderson, in a letter to *Col. Peyton*, dated Lexington, August 8th, 1894, says:

"Accept my thanks for the memorial pamphlet of your honored father. Some knowledge of his splendid gifts, his eloquence, learning and lofty traits of character had come down to me among the traditions of the Lexington bar, at which he was for many years a distinguished practitioner, and I am very glad to have in more enduring form the sketches of his life, character and services."

PROF. JOHN B. MINOR, LL. D.

University of Virginia, Law Department,
August 9th, 1894.

My Dear Sir:

I received yesterday, the pamphlet containing the account of the "Ceremonies attending the presentation of the portrait of John Howe Peyton," your honored father, to the county of Augusta, and beg you to accept my cordial thanks therefor.

I apprehend that no county in the State, nor in the United States, can exhibit such an aggregation of judicial worthies as Augusta, not merely lawyers of distinguished learning and power, but men no less distinguished for incompatible integrity. The county authorities do themselves great credit in thus commemorating the virtues and abilities which have so illustrated their community.

Among these great and good men your father was conspicuous, and well deserves to be enshrined in the esteem and admiration, not of Augusta only, but of Virginia, and the whole country. With renewed thanks for the pamphlet,

I am, yours very truly,

JOHN B. MINOR.

Col. John L. Peyton, Staunton, Va.

Hon. John W. Rieley, judge-elect to the Supreme Court of Appeals, of Virginia, says:

"I have read with deep and intense interest the addresses and all that was said of Mr. Peyton by his contemporaries, and as a Virginian I am proud of such an illustrious citizen, and congratulate old Augusta that her people have for contemplation, and emulation for all time the life and character of one of such worth and commanding ability."

Col. Jos. H. Sherrard, under date of Lexington, August 12th, 1894, writes:

"I have read the pamphlet with a great deal of pleasure, and am glad to see this departure from the rule too long prevalent of doing honor only to statesmen and military men, and the system inaugurated of 'rendering unto Cæsar the things that are Cæsar's.' Truly among professional men there is oft-times as much virtue, genius and patriotism as in the former classes, and this was the case as to your great and good father, and is so as to many modest citizens, who are as worthy to be commemorated. Many a youth will be taught that honor and glory are not alone to be achieved at the cannon's mouth, or in the halls of Congress, and to emulate such examples of virtue in private life. Would that this precedent of your good people could be repeated by those of every county in the State, until all of our court-houses are ornamented by their illustrious citizens. Surely we might then say: 'Lives of great men all remind us we may make our lives sublime and departing leave footprints in the sands of time.'"

John F. Lewis, Esq., writes from Charleston, W. Va., under date of October 12th, 1894:

"While it was not my good fortune to have known per-

sonally the subject of these eloquent tributes to worth, I know full well how richly deserved they are. From the days of my youth I have heard from the lips of those who knew John Howe Peyton well and honored him, the most beautiful and feeling tributes to his high toned honor, his brilliant intellect, his fervid patriotism and his spotless life. It is eminently fitting that this speaking likeness of him should adorn the walls of the Temple of Justice of old Augusta, those same walls which erstwhile echoed back his eloquent words in defence of the right."

Rev. Wm. H. Ruffner, D. D., writes from Lexington, under date of August 10th, 1894:

"I have read all [the pamphlet containing ceremonies attending the presentation of Mr. Peyton's portrait to the county] with interest and sympathy. Your father was one of the heroes of my early days. I saw and heard him often, and the impression I received of his character and abilities was correct."

Dr. R. A. Brock writes from Richmond, October 10th, 1894:

"I am thankful in the inspiration that the contemplation of so benign a presence, and the consequent retrospect of so admirable a life, will command in posterity."

Rev. Geo. Gordon Smeade, Rector of Magill Memorial Church, Pulaski City, writes:

"For the sake of the rising generation who may frequent your Court of Justice, it was most timely in placing upon her walls the portrait of so distinguished a personage as your father. He who has left so deep an impress upon the community in which he lived, and I may say also upon his age,

cannot help being an incentive to the very *highest type of virtue* and patriotism."

C. B. Thomas, Esq., writes from Wytheville, August 11th, 1894:

"I have read the pamphlet with much interest. I will have my boys to read it, hoping that they may be stimulated to strive to emulate some of the virtues which characterized your distinguished father in such an eminent degree."

Miss M. J. Baldwin, the gifted and accomplished Principal of the Augusta Female Seminary, under date of August 15th, 1894, writes:

"No one takes more pleasure in seeing your father's memory honored than I do. May his descendants ever prove worthy of so distinguished an ancestor."

FROM MRS. LOUISA DUPUY.

The talented and accomplished Mrs. Louisa Dupuy, who was intimately acquainted with Mr. Peyton and his family, and who spent much time at Montgomery Hall in early days, thus writes:

Staunton, Thursday Afternoon.

Dear Col. Peyton:

I am very much obliged for the pamphlet containing an account of the presentation and acceptance of your honored father's portrait. "Honor to whom honor is due," and I am always glad to see any indication that virtue and integrity and intellectual ability are held in high esteem, and brought prominently before the public. It is cause of deep regret, that in these days, so much of the reverse is prominent. If I had known it in time, and that ladies were to be present on the interesting occasion, I should have gone down to the

Court House, but I do not take a daily paper and did not know of it.

I remember your father as an elegant and courtly gentleman, genial and kind to all, both old and young; and that he belonged to a noble set of such men belonging to Staunton in those days.

I have read the pamphlet through (I had read the account in the papers), and have mailed it to Sam and the boys

Your old friend,

LOUISA DUPUY.

Many other interesting letters have been received from distinguished persons in all parts of the State, from the South and West, but space does not admit of their introduction. We feel the less difficulty in omitting them, though coming from such men as Gen. G. W. C. Lee, from judges of the Court of Appeals of Maryland, North Carolina and Ohio, Hon. R. Taylor Scott, Col. Jesse E. Peyton, of New Jersey, R. L. Parish and other eminent men and lawyers, because they knew Mr. Peyton only by reputation, not personally.

MRS. JOHN H. PEYTON.

We have mentioned Mr. Peyton's second marriage, in 1821, to Anne Montgomery Lewis. The happiness derived from this auspicious union was such that it may be classed among the matches "made in heaven."

As a becoming conclusion to this compilation the following sketch of Mrs. Peyton is appended:

Among the noteworthy women of Virginia during the early part of the present century—our comparatively unknown and entirely unsung Southern heroines—was the subject of

this sketch. Remarkable for her practical ability and efficiency, her graceful and accomplished taste, the extent and variety of her literary attainments, the unselfish generosity of her heart, and her unostentatious charities, no one was more highly esteemed while living, or was more mourned when, in her bright and useful career, struck down by the hand of death. Nor is there one of those departed Matrons—the peerless women of Virginia,—whose memory is more cherished by those among whom she lived; for, it was her peculiar good fortune to be at once the life and joy of her family the “bright particular star” of the society in which she moved, and the pride and ornament of the community.

Anne Montgomery Peyton was born at the Sweet Springs Monroe County, Virginia, in the year 1802. Her father Major John Lewis, was a man of large fortune, having inherited this extensive and valuable estate from his father, Col. William Lewis, commonly called the “Civilizer of the border.” Major Lewis was a distinguished officer of that branch of the military forces of the “Thirteen United Colonies,” styled the “Continental line,” and served under Washington until the close of the revolutionary war. A little more than two years after the surrender of the British Army at Yorktown, by Lord Cornwallis, October 17th--19th, 1781, namely, in the winter of 1783 when Washington relinquished the command of the army, Major Lewis returned to the Sweet Springs where he spent the rest of his life, improving his property and enjoying the society of his friends. He married, in 1795, Mary Preston, the fourth daughter of Col. William Preston of Smithfield, County of Montgomery, Mary Preston Lewis is reported to have been a woman of great personal charms and of uncommon vivacity of intellect, and of varied accomplishments. As spirited as beautiful, she was one of the true type

of that Virginia character which has made itself known and felt throughout the world.*

Mary Preston Lewis died at an early age, leaving a large family of young children, and it devolved upon the subject of this sketch, as being one of the oldest, to act the part of mother and sister towards them—a duty which she nobly performed, ever extending to them Christian care and true sympathy. The portals of Montgomery Hall were always open to receive them and her younger brothers. In fact it became the home of her sisters, three of whom were subsequently, at different periods, married from it: namely, Margaret Lynn, to John Cochran, of Charlottesville, Va., Sarah, to her cousin, Col. John Lewis, of Kanawha, and Polydora, to John Gosse, of Albemarle. Her two younger

*When little Anne Lewis left the Sweet Springs for Mr. C's school, she bore the following letter from her mother to him.

Sweet Springs, July 23rd, 1811.

Mr. Crutchfield:

Dear Sir—With the sincerest pleasure I send my dear little Anne to you again. I hope nothing will happen, not even an indulgence of my affection for her, to cause her coming home again shortly, for to you, I confide with confidence her entire education, and I hope your labors will be crowned with success by Him above, who is able to give abundantly.

It has been with much persuasion and many difficulties I have succeeded in getting Mr. L's consent to Anne and Margaret Lynn being sent to you. I need not say anything as to Anne's temper and disposition. I know your penetration is sufficient, and in your judgment and tenderness [to improve both] I have entire confidence. You can do more to improve her than I can and I know you will. I have many happy proofs of the great good, both in mind and manners, that have accompanied your exertions towards my family.

Heaven bless and prosper you, is the wish of your friend,

MARY P. LEWIS.

P. S. My respects to Mrs. Crutchfield. I have sent a cot and bedding for Anne and Lynn.

brothers, John Benjamin and Thomas Preston, also resided with her several years while attending school in Staunton.

Anne Lewis, the third child of Major John Lewis and Mary Preston, and according to contemporaneous accounts, the most favored of them all; was entered in her ninth year at the school—a school in great repute at that day—of Mr. Crutchfield, situated in the Falling Spring Valley near the Peytona Cascades, Alleghany County.*

*The following letter from John Preston, Treasurer of the State of Virginia, gives a brief account of the death of his sister, Mary Preston Lewis.

Greenfield, Botetourt County, Va ,

February 8th, 1824.

Dear Sister:

The painful duty of informing you of the death of our beloved Sister Lewis devolves on me. She expired on Wednesday the 4th, (Feb. 4th, 1824) at her home at the Sweet Springs. She had lingered for some time but no dangerous symptoms appeared in her complaint, nor was any alarm excited. She, however, became suddenly worse, and sent for Mary Woodville, who set out instantly and took with her Doctor Patterson, of Fincastle, but before they arrived she was struggling with death. She died with all the firmness of a Christian hero, firmly relying on the merits and mediation of an all-sufficient Savior, and declared that her hope and confidence were so great that death presented not one solitary terror to her, but rather that he appeared to her as a friend who was to conduct her out of this into a far better world that she had long looked forward to with ardor—and called on her relations and friends around her to witness with what composure a real Christian could die, and actually closed her eyes with her own hands.

The family are now dispersed, and the house locked up and the plantation forsaken for awhile.

Sarah, Lynn and Thomas are at Mr. Woodville's, Ben and Polly down at Mr. Massie's. What future disposition will be made of them or the property is not yet decided on. She did not make a will.

My wife is very sick and confined to her bed with something like the nettle-rash. Sarah is well and I am in my general health.

Your affectionate brother,

JOHN PRESTON.

To Mrs. Elizabeth Madison, Montgomery Co.

The reader will probably excuse a brief reference to this valley which is so remarkable for its scenic charms, the cascade being the most striking point, that one cannot pass through it without feeling the truth of Cowper's beautiful line—"God made the Country and man made the Town." The variety, the perfection, and indeed everything about a lively country scene so eclipse the noise and bustle and turmoil of a large town that I have sometimes been so uncharitable as to think that those who did not love the country, could scarcely love their Maker; but to indulge such a thought would be illiberal, decidedly wrong. And yet the country has many, many charms, peculiar to itself and of a peculiar character; and although it is certain that a vicious mind will think of God nowhere, while a pious one will behold him in everything, it nevertheless cannot be doubted that there are natural tendencies in the bustle, parade, and business of large commercial towns, to turn away the soul from God; while innumerable objects are presented in the country which lead the mind of the reflective "through Nature up to Nature's God."

The general truth of these remarks has always been impressed on our mind when in the country, and more especially when rambling during the summer through the enchanting regions of western Virginia.

In one of the loveliest spots in this picturesque land, Mr. Crutchfield had wisely established his school—no doubt influenced in his choice by its central position in the State, its retired situation and the extreme healthfulness of the climate. Amidst these rural scenes in the "sweet sequestered vale," Anne Lewis spent her early youth, making much progress in learning and acquiring a fund of valuable information. Studying with unexampled industry, she carried off the highest